

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JOE BRASFIELD et al., on)
behalf of themselves and)
all other similarly situated)
employees,)
)
Plaintiffs,)
)
vs.) No. 2:08-cv-02092-JPM-cgc
)
SOURCE BROADBAND SERVICES, LLC,)
& C-COR, INC.,)
)
Defendants.)

ORDER ADOPTING REPORT AND RECOMMENDATION

On April 19, 2010 and May 11, 2010 the Court referred defendant Source Broadband Services, LLC's motions for sanctions to the Magistrate Judge for report and recommendation (D.E. 236, 249). The Magistrate Judge issued a report and recommendation on June 22, 2010, recommending as follows:

- that plaintiffs who have failed to appear for their depositions shall be made to appear for a deposition on or before July 31, 2010;
- that plaintiffs shall pay for the cost of court reporter attendance fees and long-distance telephone charges, while defendant shall pay for any video conferencing costs;
- that the parties shall submit briefing regarding fees and costs related to the plaintiffs' failure to attend;
- and that plaintiffs are notified that failure to appear for their depositions and/or answer Interrogatory No. 2 may result in further sanctions including dismissal of their claims. (See D.E. 269.)

The time for filing objections to the report and recommendation has expired. See Fed. R. Civ. P. 72. Upon de novo review, the Court ADOPTS the report and recommendation in its entirety.

IT IS SO ORDERED this 2nd day of August, 2010.

/s/ Jon P. McCalla
JON P. McCALLA
CHIEF U.S. DISTRICT JUDGE